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5 #144520
Attorney for Plaintiff,
6 CONTRACTORS BONDING and INSURANCE COMPANY

7
8 IN THE UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10

11 CONTRACTORS BONDING AND
12 INSURANCE COMPANY,

13
14 Plaintiff,

15 v.

16 YUE H. LEI, dba K&D
17 CONSTRUCTION; SUSAN MARSH; and
18 RICHARD JACQUOT

19 Defendants.
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25
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Case No. C-08-01973 JL

STIPULATED DISMISSAL; ORDER

STIPULATED DISMISSAL; ORDER

1 IT IS HEREBY STIPULATED by and between the parties to this action through their
2 designated counsel that the above-captioned action be and hereby is dismissed with prejudice
3 pursuant to FRCP 41 (a)(1), each party to bear its own costs and attorney's fees.
4

5 DATED: April __, 2009

6 *October 16, 2009*

ROGER, SCOTT & HELMER

7 By: *Patricia M. Fama*

8 Patricia M. Fama
9 Attorneys for Plaintiff
10 CONTRACTORS BONDING AND
11 INSURANCE COMPANY

12 DATED: April __, 2009

SELVIN, WRAITH HALMAN LLP

14 By: _____

15 Gary R. Selvin, Esq.
16 Attorneys for Defendant
17 YUE M. LEI DBA K&D CONSTRUCTION

18 IT IS SO STIPULATED.

19 DATED: *June 8, 2009* WINCHELL & TRUETT

20 DATED: April __, 2009

21 By: *Harold J. Truett, III*

22 Harold J. Truett, III, Esq.
23 Attorneys for Defendant
24 SUSAN MARSH and RICHARD JACQUOT

25 IT IS SO ORDERED:

10-20-09

26 DATED: April __, 2009

27 *James Larson*

28 Magistrate Judge of the United States District
Court

1 IT IS HEREBY STIPULATED by and between the parties to this action through their
2 designated counsel that the above-captioned action be and hereby is dismissed with prejudice
3 pursuant to FRCP 41 (a)(1), each party to bear its own costs and attorney's fees.
4

5 DATED: April __, 2009

ROGER, SCOTT & HELMER

6
7 By: _____

8 Patricia M. Fama
9 Attorneys for Plaintiff
10 CONTRACTORS BONDING AND
11 INSURANCE COMPANY

12 DATED: April 28, 2009

SELVIN, WRAITH HALMAN LLP

13
14 By:  _____

15 Gary R. Selvin, Esq.
16 Attorneys for Defendant
YUE M. LEI DBA K&D CONSTRUCTION

17 IT IS SO STIPULATED.

18 DATED: April __, 2009

WINCHELL & TRUETT

19
20 By: _____

21 Harold J. Truett, III, Esq.
22 Attorneys for Defendant
23 SUSAN MARSH and RICHARD JACQUOT

24 IT IS SO ORDERED:

25 DATED: April __, 2009

26
27 _____
28 Magistrate Judge of the United States District
Court

United States District Court (Northern) CASE NO: C 08-01973 JL
Contractors Bonding and Insurance Co. v. Yue H. Lei, dba K&D Constrc., et al.

PROOF OF SERVICE

I declare that I am, and was at the time of the service hereinafter mentioned, a citizen of the United States of America, employed in the County of San Mateo, California. I am over the age of eighteen years and not a party to the within cause; my business address is 1001 Marshall Street, Suite 400, Redwood City, California 94063. On **October 19, 2009**, I caused to be served the following:

STIPULATED DISMISSAL; ORDER

on the parties involved addressed as follows:

SEE ATTACHED SERVICE LIST

X **BY ELECTRONIC CASE FILE (CM/ECF) SYSTEM with the United States District Court, Eastern District of California Case Management/Electronic Case Filing System.**

___ **BY PERSONAL DELIVERY:** I caused each such envelope to be delivered by hand to the offices of each addressee above. (CCP Section 1010)

___ **BY CERTIFIED MAIL-RETURN RECEIPT REQUESTED:** I caused each such envelope above, with postage thereon fully prepaid, to be placed in the United States mail at Redwood City, California. (CCP Section 1013(a)(1))

___ **BY MAIL:** I caused each such envelope above, with postage thereon fully prepaid, to be placed in the United States mail at Redwood City, California. (CCP Section 1013(a)(1))

___ **VIA FACSIMILE TRANSMISSION (CCP Section 1013)**

___ **VIA OVERNIGHT MAIL -FEDEX (CCP Section 1013(c))**

I am readily familiar with the business practice for collection and processing of mail in this office. That in the ordinary course of business said document would be deposited with the U. S. Postal Service in Redwood City on that same day. I understand that service shall be presumed invalid upon motion of a party served if the postal cancellation date or postage meter date on the envelope is more than one day after the date of deposit for mailing contained on the affidavit.

I declare, under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on **October 19, 2009**, at Redwood City, California.


 Luz Marie Ramirez

Contractors Bonding and Insurance Company v. Yue H. Lei, dba K&D Constrc., et al.
United States District Court (Northern) Case No. C 08-1973 JL

SERVICE LIST

<p>Gary R. Selvin, Esq. Selvin, Wraith Halman LLP 505 Fourteenth Street, Suite 1200 Oakland, CA 94612 Tel: (510) 874-1811 Fax: (510) 465-8976 gselvin@selvinwraith.com kshahin@selvinwraith.com</p>	<p>Harold J. Truett, III, Esq. Winchell & Truett 207 Powell Street, 6th Floor San Francisco, CA 94102 Tel: (415) 989-9001 Fax: (415) 693-9599 tim@truettlaw.com</p>
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